

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESale PRICE  
LITIGATION

)  
) MDL NO. 1456  
) Civil Action No. 01-12257-PBS  
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

*State of Iowa*

v.

*Abbott Laboratories Inc., et al.*

)  
) Judge Patti B. Saris  
)  
)  
)  
)

**AUGUST 2011 STATUS REPORT FOR THE STATE OF IOWA**

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for August 2011, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: August 1, 2011

Respectfully submitted,

**KIRBY McINERNEY, LLP**  
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By: /s/ Joanne M. Cicala

Joanne M. Cicala

*Counsel for the State of Iowa*

## **August 2011 Status Report for the State of Iowa**

### **Voluntary Dismissal of Claims**

On April 14, 2011, plaintiff filed a notice of voluntary dismissal of claims against defendant Tap Pharm. Products, Inc. n.k.a. Takeda Pharm. N.A., Inc. *See* Docket No. 7502, Sub-docket No. 112.

On April 15, 2011, plaintiff filed a notice of voluntary dismissal with prejudice of claims against defendant Novartis Pharmaceuticals Corp. *See* Docket No. 7505, Sub-docket No. 113.

On April 20, 2011, plaintiff filed a notice of voluntary dismissal of claims against defendants Hoffman-La Roche, Inc. and Roche Laboratories, Inc. *See* Docket No. 7509, Sub-docket No. 115.

On July 7, 2011, the court entered an order granting plaintiff's stipulation of dismissal of claims against defendants Teva Pharmaceuticals USA, Inc., Novopharm USA, Inc., Barr Laboratories, Inc., Ivax Corporation, Ivax Pharmaceuticals, Inc., and Sicor, Inc. *See* Docket No. 7658, Sub-docket 123.

### **Settlement Order of Dismissal**

On July 7, 2011, the court entered plaintiff's proposed settlement order of dismissal of claims against defendants: Alparma, Inc., Purepac Pharmaceutical Co., Eli Lilly and Company, Endo Pharmaceuticals Inc., King Pharmaceuticals Inc., King Research and Development, Monarch Pharmaceuticals Inc., Merck & Co., Inc., Mylan Laboratories Inc., Mylan Pharmaceuticals Inc., UDL Laboratories Inc., Par Pharmaceutical Company Inc., Par Pharmaceutical Inc., Schering-Plough Corp., Schering Corporation, Warrick Pharmaceuticals Corporation, Watson Pharmaceuticals Inc., and Watson Pharma Inc. The order provides that claims against these defendants shall be dismissed without costs and without prejudice to the

right of any party, upon good cause shown, to reopen the action within ninety (90) days if settlement is not consummated. *See* Docket No. 7657, Sub-docket No. 122.

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on the 1st day of August, 2011, she caused a true and correct copy of the above August 2011 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: August 1, 2011

/s/ Kathryn B. Allen  
Kathryn B. Allen  
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